PATENT
Customer No. 22,852
Attorney Docket No. 08698.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Bernhard NIESWANDT	)	Group Art Unit: Not yet assigned
	)	
Application No.: Not yet assigned	)	Examiner: Not yet assigned
	)	
Filed: January 22, 2002	)	
	)	
For: MEDICAMENT FOR THE PROTECTION AGAINST THROMBOTIC DISEASES	)	

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the examination of the above application, please amend this application as follows:

IN THE SPECIFICATION:

On page 27, please delete line 5 and insert the following:

Brief Description of the Drawings

IN THE CLAIMS:

Please substitute pending claims 1-8 and 10-13 with amended claims 1-8 and 10-13 as follows:

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

1. (Amended) A medicament for protection against thrombotic diseases, comprising at least one active principle that induces an irreversible inactivation or degradation of a collagen receptor on thrombocytes.

2. (Amended) The medicament as claimed in claim 1, wherein the at least one active principle is an antibody.

3. (Amended) The medicament as claimed in claim 1, wherein the at least one active principle is monoclonal antibody JAQ1.

4. (Amended) The medicament as claimed in claim 1, wherein the collagen receptor on thrombocytes is GPVI.

5. (Amended) The medicament as claimed in claim 1, wherein the at least one active principle is humanised monoclonal antibody JAQ1.

6. (Amended) A diagnostic agent for the determination of the expression rate of a collagen receptor GPVI, comprising at least one labelled antibody chosen from a monoclonal antibody and a polyclonal antibody, wherein the at least one labelled antibody is directed against a GPVI epitope.

7. (Amended) A method for the determination of the expression rate of a collagen receptor GPVI in blood of a patient comprising:

a) incubating a sample of the blood with a solid carrier on which antibody JAQ1 is fixed,

b) washing the solid carrier,

c) incubating the washed solid carrier with a second labelled antibody JAQ1,

d) washing the carrier again, and

e) measuring a signal of the second labelled antibody.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Vashington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

8. (Amended) The method as claimed in claim 7, wherein the signal is measured in a flow-cytometer using a fluorescence-labelled monoclonal JAQ1 antibody.

10. (Amended) Monoclonal antibody that binds to the same or a similar epitope of a collagen receptor for thrombocytes as monoclonal antibody JAQ1.

11. (Amended) A method for producing a medicament against thrombotic diseases comprising providing at least one active principle that induces an irreversible inactivation or degradation of a collagen receptor on thrombocytes.

12. (Amended) The method as claimed in claim 11, wherein the at least one active principle is a monoclonal antibody.

13. (Amended) The method as claimed in claim 11, wherein the at least one active principle is monoclonal antibody JAQ1.

Please add new claims 14-16 as follows:

14. (New) The diagnostic agent as claimed in claim 6, wherein the at least one labelled monoclonal antibody is JAQ1.

15. (New) A method for the determination of the expression rate of a collagen receptor GPVI in blood of a patient comprising:

a) fixing a sample of the blood on a solid carrier,

b) treating the fixed sample with a labelled antibody JAQ1 alone or in mixture with an unlabelled antibody JAQ1, and

c) detecting the labelled antibody JAQ1.

16. (New) A method for the determination of the expression rate of a collagen receptor GPVI in blood of a patient comprising:

a) fixing monoclonal antibody JAQ1 on a solid carrier,

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

b) contacting the fixed monoclonal antibody JAQ1 with a sample of the blood together with labelled antibody JAQ1,

c) washing the solid carrier, and

d) measuring a signal of the labelled antibody JAQ1.

IN THE ABSTRACT OF THE DISCLOSURE

Please delete the Abstract of the Disclosure and add the Abstract of the Disclosure on the attached sheet of paper.

REMARKS

STATUS OF THE CLAIMS

Claims 1-16 are pending. Claims 1-8 and 10-13 have been amended and new claims 14-16 have been added. The claims have been amended to recite proper antecedent basis and conform to U.S. patent practice. No new matter has been added. Prompt and favorable examination on the merits is respectfully requested.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: January 22, 2002

By: Carol L. Cole
Carol L. Cole
Reg. No. 43,555

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

APPENDIX TO THE PRELIMINARY AMENDMENT FILED JANUARY 22, 2002

IN THE CLAIMS:

Please substitute pending claims 1-8 and 10-13 with amended claims 1-8 and 10-13 as follows:

1. (Amended) A [Medicament] medicament for [the] protection against thrombotic diseases, [**characterized in that** it comprises an] comprising at least one active principle that induces an irreversible inactivation or degradation of a collagen receptor on thrombocytes.

2. (Amended) The [Medicament] medicament as claimed in claim 1, [**characterized in that**] wherein the at least one active principle is an antibody [induces an irreversible inactivation or degradation of a collagen receptor on thrombocytes].

3. (Amended) The [Medicament] medicament as claimed in claim 1, [**characterized in that** it comprises

the] wherein the at least one active principle is monoclonal antibody JAQ1.

4. (Amended) The [Medicament] medicament as claimed in [claims] claim 1 [and 2], [**characterized in that** it contains an antibody against the thrombocyte collagen receptor] wherein the collagen receptor on thrombocytes is GPVI.

5. (Amended) The [Medicament] medicament as claimed in [claims] claim 1 [to 3], [**characterized in that** it contains the] wherein the at least one active principle is humanised monoclonal antibody JAQ1.

6. (Amended) A diagnostic agent for the determination of the expression rate of [the] a collagen receptor GPVI, [**characterized in that** it contains a] comprising

at least one labelled antibody chosen from a monoclonal antibody and a [or] polyclonal antibody, wherein the at least one labelled antibody is directed against [the] a GPVI epitope[, preferably as defined by JAQ1].

7. (Amended) A method for the determination of the expression rate of [the] a collagen receptor GPVI in blood [**characterized in that]** of a patient comprising:

a) incubating a sample of the blood [of the patient is incubated] with a solid carrier on which [the] antibody JAQ1 is fixed,

b) washing the solid carrier,

c) incubating [it] the washed solid carrier with a second labelled antibody JAQ1,

d) washing the carrier again, and

e) measuring [the] a signal of the second labelled antibody[; or

b) a sample of the blood of the patient is fixed on a solid carrier and thereafter treated with the labelled antibody JAQ1 alone or in mixture with the unlabelled antibody JAQ1 and subsequently the labelled antibody is detected; or

c) the monoclonal antibody JAQ1 is fixed on a solid carrier and is thereafter contacted with the blood sample, which is to be tested, together with the labelled antibody JAQ1, washing the carrier and measuring the signal of the labelled antibody].

8. (Amended) [A] The method [is] as claimed in claim [6] 7, [**characterized in that** it is performed] wherein the signal is measured in a flow-cytometer using a [fluoreszence-labelled] fluorescence-labelled monoclonal JAQ1 antibody [in a flow-cytometer].

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

10. (Amended) Monoclonal antibody[, characterized in] that [it] binds to the same or a similar [epitop] epitope of [the] a collagen receptor for thrombocytes as [the] monoclonal antibody JAQ1.

11. (Amended) A method [Use of the active principle that induces an irreversible inactivation or degradation of a collagen receptor on thrombocytes] for [the preparation of] producing a medicament against thrombotic diseases comprising providing at least one active principle that induces an irreversible inactivation or degradation of a collagen receptor on thrombocytes.

12. (Amended) [Use] The method as claimed in claim 11, wherein the at least one active principle is a monoclonal antibody.

13. (Amended) [Use] The method as claimed in [claims] claim 11 [and 12], wherein the at least one active principle is [the] a monoclonal antibody JAQ1.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

ABSTRACT OF THE DISCLOSURE

A medicament for the protection against thrombotic diseases is described that contains an active principle which induces irreversible inactivation or degradation of the collagen receptor on thrombocytes. Antibodies, especially the humanized monoclonal antibody JAQ1, are the preferred active principle. Further a diagnostic agent for the determination of the expression rate of the collagen receptor GPVI is disclosed which contains the labeled monoclonal or polyclonal antibody directed against the GPVI epitope, preferably as defined by JAQ1.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com